

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark Baugher, et al.

Group Art Unit No.: 2436

Serial No.: 10/824,729

Examiner: Louie, Oscar A.

Filed on: 04/14/2004

Confirmation No.: 6696

For: PREVENTING DENIAL OF SERVICE ATTACKS USING AN ACCUMULATED  
PROOF OF WORK APPROACH

Via EFS-Web  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO OFFICE ACTION

Sir:

This is in response to the Final Office Action mailed December 23, 2008 (Part of Paper No./Mail Date 20081219), the shortened statutory period for which runs until March 23, 2009.

No claims have been amended, cancelled, or added. Hence, Claims 1-31 are pending in the application. Each issue raised in the Office Action mailed December 23, 2008 is addressed hereinafter.

- I. ISSUES NOT RELATING TO PRIOR ART  
A. CLAIM OBJECTION, CLAIMS 3-5

PLEASE ENTER  
02/17/2009  
/OAL/

Claims 3-5 were objected to as being dependent upon a rejected base claim. The Office Action indicates that “the inclusion of the limitations found under Claims 3-5 into each and every independent claim would place the applicant’s application into a much better condition for allowance pending further review.” Applicants appreciate the suggestion. Unfortunately, the suggestion of potential “further review” indicates that such a significant narrowing of the claims might not result in allowance. A conditional or tentative offer is not useful and applicants believe that at this stage of prosecution, the Office should be able to determine definitively whether claims are allowable and make a non-conditional offer of allowability.